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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/935,687	08/24/2001	Boris Liberman	200600450-1	3389

22879 7590 07/26/2006

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FORT COLLINS, CO 80527-2400

EXAMINER

LIANG, LEONARD S

ART UNIT	PAPER NUMBER
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2853

DATE MAILED: 07/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/935,687	LIBERMAN, BORIS	
	<b>Examiner</b>	<b>Art Unit</b>	
	Leonard S. Liang	2853	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 May 2006.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7, 11 and 12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7, 11 and 12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
       Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
       Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-7 and 11-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Verhoest et al (US Pat 6588954).

Verhoest et al discloses:

- {claim 1} A device to hold a flexible substrate to be printed upon (figure 2); a static support structure (figure 2, reference 26); elongated support units, each has a bottom surface supported by the support structure, wherein the units are positioned remote from and substantially parallel to each other such that top surfaces of the units delineate a substantially convex profile in a plane perpendicular to a longitudinal axis of the units (figure 2, reference 18a-d); a tensioning device integral to a feed and take-up device capable of moving the flexible substrate across the support structure (figure 2, reference 14)

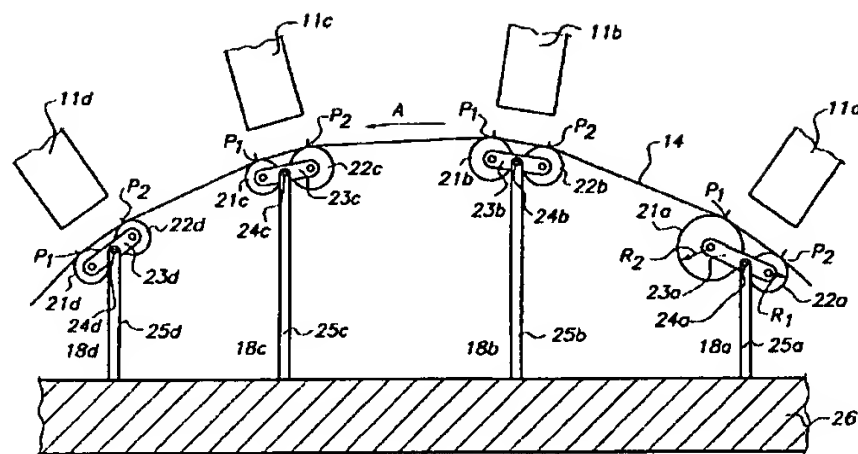


FIG. 2

- {claim 2} further comprising a digital printing device including a plurality of print heads, the support structure being configured so as to provide on flat region for each of the printing heads (figure 2, reference 11a-d; reference P1, P2)
- {claim 3} wherein the printing device is a digital four color process printer and the plurality of print heads includes four print heads (figure 2, reference 11a-d)
- {claim 4} wherein the support units are support bars (figure 2, reference 18a-d)
- {claim 5} wherein the print heads are positioned such that when the flexible substrate is placed upon the support structure, portions of the flexible substrate that are stretched between the support units are located below the print heads (figure 2, reference 14)
- {claim 6} wherein the support structure is a substantially continuous solid surface (figure 2, reference 26)
- {claim 7} wherein when the substrate is positioned on the top surfaces, the tensioning device is capable of tensioning the flexible substrate along a feed path of the substrate (figure 2, reference 14)
- {claim 11} wherein the support units are rods (figure 2, reference 18a-d)

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- {claim 12} wherein the support units are rollers (figure 2, reference 21a-d, 22a-d)

### *Response to Arguments*

Applicant's arguments filed 05/15/06 have been fully considered but they are not persuasive. Even though the applicant claims to have incorporated previously objected subject matter into the independent claim, the applicant has also broadened the scope of the claim by canceling part of the claim. As seen in the above rejection, the claim is not allowable.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rottman (US Pat 5526028) discloses a liquid ink printer transport belt cleaner.

Beck et al (US Pat 5103322) discloses a scanner with retractable roller feed.

Fukushima et al (US Pat 5444468) discloses an image forming apparatus with means for correcting image density unevenness.

Ohyama et al (US Pat 5531436) discloses a sheet transport apparatus with minimized load between electrostatic generating device and transport belt.

Szlucha et al (US Pat 5742315) discloses a segmented flexible heater for drying a printed image.

Ohyama et al (US Pat 5821968) discloses an ink jet recording apparatus and a process of ink jet recording.

Hickman et al (US Pat 6154232) discloses drum-based printers using multiple pens per color.

Rasmussen et al (US Pat 6168269) discloses a heated inkjet print media support system.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonard S. Liang whose telephone number is (571) 272-2148. The examiner can normally be reached on 8:30-5 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

07/21/06

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**STEPHEN MEIER**  
**SUPERVISORY PATENT EXAMINER**